

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
Greensboro Division  
Case No. 1:17-cv-111-WO-JEP

Lloyd Bell, individually and	\$
as Executor of the Estate of	\$
Betty Whitley Bell,	\$
Deceased,	\$
	\$
Plaintiff,	\$ [PROPOSED]
	\$ ORDER GRANTING DEFENDANT
v.	\$ AMERICAN INTERNATIONAL
	\$ INDUSTRIES' MOTION TO
American International	\$ COMPEL PRODUCTION OF
Industries, Inc., et al.,	\$ TANGIBLE THINGS AND
	\$ DOCUMENTS AND ANSWERS TO
Defendants.	\$ INTERROGATORIES
<hr/>	\$
	\$
American International	\$
Industries, Inc.,	\$
	\$
Third-Party Plaintiff,	\$
	\$
v.	\$
	\$
Neslemur Company f/k/a The	\$
Nestle-Lemur Company,	\$
	\$
Third-Party Defendant.	\$
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After considering Defendant American International Industries' motion to compel and the response, and after a hearing, the Court

**GRANTS** the Motion and ORDERS as follows:

\_\_\_\_\_ Plaintiff is ordered to fully answer Interrogatory No. 20 without relying on reference to non-specific deposition testimony.

\_\_\_\_\_ Pursuant to Requests for Production No. 11-12, Plaintiff is ordered to execute authorizations allowing for the release of income tax returns from the IRS for Lloyd Bell and Betty Bell,

\_\_\_\_\_ For Request for Production No. 13, Plaintiff's objection in his supplemental response relating to the talcum container is stricken,

\_\_\_\_\_ For Request for Production No. 15, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 16, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 17, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive

documentation,

\_\_\_\_\_ For Request for Production No. 18, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 19, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 20, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 21, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 22, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 23, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 24, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 25, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 26, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 27, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 28, Plaintiff's

objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 29, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 30, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 31, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 32, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 33, Plaintiff's objections are all stricken and Plaintiff is ordered to fully

respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 34, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation,

\_\_\_\_\_ For Request for Production No. 56, Plaintiff's objections are all stricken and Plaintiff is ordered to fully respond to the Request, producing all responsive documentation, including all talc samples tested by Plaintiff's experts such as the AII retains, the Italian talc samples, and all associated documents with any such tests,

\_\_\_\_\_ For Request for Production No. 58, Plaintiff's objections in his supplemental response are stricken and Plaintiff is ordered to fully respond to the Request, producing the Clubman talc container found at Bell's home at Plaintiff's expert's deposition for inspection by AII and its experts,

\_\_\_\_\_ For Request for Production No. 59, Plaintiff's objections in his supplemental response are stricken and Plaintiff is ordered to fully respond to the Request,

including producing a full chain of custody for the container from the time of its original discovery,

\_\_\_\_\_ For Request for Production No. 58, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing the Clubman talc container found at Bell's home at Plaintiff's expert's deposition for inspection by AII and its experts,

\_\_\_\_\_ For Request for Production No. 64, Plaintiff's objections in his supplemental response are stricken,

\_\_\_\_\_ For Request for Production No. 98, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including all litigation documents from claims involving allegations of asbestos and or asbestos-containing products/materials within the Fiber Industries plant where Betty Bell and Lloyd Bell were employed,

\_\_\_\_\_ For Request for Production No. 99, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including all documents from claims involving allegations of asbestos and or asbestos-containing

products/materials within the Fiber Industries plant where Betty Bell and Lloyd Bell were employed, such as those pertaining to any bankruptcy trust claims made in connection with this Fiber Industries plant,

\_\_\_\_\_ For Request for Production No. 100, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including deposition transcripts and trial exhibits in the *Vonnie K. Agner, et. al v. Fluor Daniel, Inc. et al.* and *Robert F. Bost, et al v. Fluor Daniel, Inc., et al.* cases, in which Plaintiff's counsel was involved,

\_\_\_\_\_ For Second Set of Requests for Production No. 5, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Donald Bell v. HNA Holdings, Inc.*, Cause 99-CVS-223,

\_\_\_\_\_ For Second Set of Requests for Production No. 6, Plaintiff's objections in his supplemental response are

stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Donald Bell v. HNA Holdings, Inc.*, Cause No. COA03-1095,

\_\_\_\_\_ For Second Set of Requests for Production No. 7, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including Export reports produced by Dr. Holstein in *Donald Bell v. HNA Holdings, Inc.*, Cause 99-CVS-223,

\_\_\_\_\_ For Second Set of Requests for Production No. 8, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including Export reports produced by Dr. Brody in *Donald Bell v. HNA Holdings, Inc.*, Cause 99-CVS-223,

\_\_\_\_\_ For Second Set of Requests for Production No. 9, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request,

producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Schenk v. HNA Holdings, Inc.*, Cause No. 98CVS2489,

\_\_\_\_\_ For Second Set of Requests for Production No. 10, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Schenk v. HNA Holdings, Inc.*, Cause No. COA03-1094,

\_\_\_\_\_ For Second Set of Requests for Production No. 11, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Fink, et al., v. Aqua-Chem, Inc. et al*, Cause No. 1:09-cv-00143,

\_\_\_\_\_ For Second Set of Requests for Production No. 12, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Young, et al., v. 3M Company et al*, Cause No. 1:13-cv-00864,

\_\_\_\_\_ For Second Set of Requests for Production No. 13, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Allen v. CBS Corporation et al*,

\_\_\_\_\_ For Second Set of Requests for Production No. 14, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and

expert reports from *Dry, et al, v. Aqua-Chem, Inc. et al*,  
Cause No. 1:09-cv-00284-WO-WWD,

\_\_\_\_\_ For Second Set of Requests for Production No. 15,  
Plaintiff's objections in his supplemental response are  
stricken and Plaintiff fully respond to the Request,  
producing all responsive documents, including pleadings,  
deposition transcripts, trial transcripts, motions, orders,  
trial exhibits, discovery responses, witness statements, and  
expert reports from *Dry et al., v. Aqua-Chem, Inc. et al*,  
Cause No. 2:09-cv-70124-ER,

\_\_\_\_\_ For Second Set of Requests for Production No. 16,  
Plaintiff's objections in his supplemental response are  
stricken and Plaintiff fully respond to the Request,  
producing all responsive documents, including pleadings,  
deposition transcripts, trial transcripts, motions, orders,  
trial exhibits, discovery responses, witness statements, and  
expert reports from *Pethel, et al, v. Aqua-Chem, Inc. et al*,  
Cause No. 1:09-cv-00228-TDS-WWD,

\_\_\_\_\_ For Second Set of Requests for Production No. 17,  
Plaintiff's objections in his supplemental response are  
stricken and Plaintiff fully respond to the Request,

producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Keller v. Avocet Enterprises, Inc., et al.*, Cause No. 1:14-cv-00286-TDS-JLW,

\_\_\_\_\_ For Second Set of Requests for Production No. 18, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Sutton v. CAN Holdings, Inc. et al*, Cause No. 1:11-cv-00454-WO-LPA,

\_\_\_\_\_ For Second Set of Requests for Production No. 19, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Allmon, et al v. Aqua-Chem, Inc. et al*, Cause No. 1:09-cv-00341,

\_\_\_\_\_ For Second Set of Requests for Production No. 20, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Abernathy, et al., v. A.W. Chesterton Company, et al*, Cause No. 1:09-cv-00836-TDS-LPA, and

\_\_\_\_\_ For Second Set of Requests for Production No. 21, Plaintiff's objections in his supplemental response are stricken and Plaintiff fully respond to the Request, producing all responsive documents, including pleadings, deposition transcripts, trial transcripts, motions, orders, trial exhibits, discovery responses, witness statements, and expert reports from *Strange v. 3M Company et al*, Cause No. 1:10-cv-00008-TDS-LPA.

Plaintiff is ordered to fully comply with the entirety of this order, except as specifically outlined above, on or before \_\_\_\_\_, 2020.

SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

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UNITED STATES MAGISTRATE JUDGE